THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.10050 of 2005

Between:

G.P.R.L.Guta

.. Petitioner

and

The Managing Director.

.. Respondents

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.10050 of 2005

O R D E R:

This writ petition is filed seeking a direction to the respondent-Managing Director, Hyderabad Metropolitan Water and Sewerage Board, Khairatabad to collect water charges in accordance with the Board proceedings dated 27.01.2005 as published in the Andhra Pradesh Gazette, dated 28.01.2005 and to adjust/refund the excess water charges collected from the residents of the twin cities.

The case of the petitioner is that the respondent-Board in exercise of its powers vested under Sections 8 and 22 of the Hyderabad Metropolitan Water Supply and Sewerage Act 1989 revised the water tariff payable by the consumers in twin cities with effect from 01.02.2005. But the subordinates of the Board are continuing to collect higher charges from the consumers. Hence, this writ petition seeking necessary direction in this regard.

The respondents filed its counter-affidavit stating that the Board has *suo moto* adopted the tariff strictly in accordance with the Board proceedings and Gazette notification. However, when the new tariff has come into force, the meter staff has misapplied the tariff rates i.e. on non-telescopic basis instead of telescopic basis owing to some ambiguity in the Gazette notification and issued the bills. Thereafter, the wrong bills were rectified and correct bills were issued as per the Gazette notification. It is further stated that the Board is strictly following the Gazette Notification dated 28.01.2005.

Recording the statement made by the respondent in its counter-affidavit that the Board is strictly following the Gazette Notification dated 28.01.2005, no further orders are necessary to be passed in this writ petition.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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08.08.2005

kdl